

MAYOR & COUNCIL AGENDA COVER SHEET

MEETING DATE:

November 20, 2006

CALL TO PODIUM:

Jacqueline Marsh

RESPONSIBLE STAFF:

Jacqueline Marsh, Planner

AGENDA ITEM:

(please check one)

	Presentation
	Proclamation/Certificate
	Appointment
	Public Hearing
<input checked="" type="checkbox"/>	Historic District Commission
	Consent Item
	Ordinance
	Resolution
	Policy Discussion
	Work Session Discussion Item
<input checked="" type="checkbox"/>	Other: Certificate of Approval

PUBLIC HEARING HISTORY:

(Please complete this section if agenda item is a public hearing)

Introduced	
Advertised	
Hearing Date	
Record Held Open	
Policy Discussion	

TITLE:**HISTORIC DISTRICT COMMISSION****Approval of Certificate of Approval:**

HAWP-13B Applicant: Glen Todd

7 Brookes Avenue, Tree Removal

SUPPORTING BACKGROUND:

At their meeting of November 16, 2006, the HPAC held a public hearing on this application for a request for tree removal at 7 Brookes Avenue. This is a contributing resource to the Brookes, Russell, Walker Historic District.

The applicant is requesting to remove a badly diseased hazardous maple tree, located in the front of the property. The applicant is intending to plant a replacement tree in the future, located in the front yard if possible.

The HPAC unanimously recommended approval, finding the request to be in compliance with Secretary of Interior Standard Two, which states the historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided. The removal of the tree is unavoidable due to its hazardous state and the applicant is intending to replant a replacement tree. Further, the request is in compliance with Standard One, which states a property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment. The requested changes are required for safety reasons. This application is also in conformance with the design guidelines of the Brookes, Russell, Walker Historic District.

Staff and HPAC recommend the HDC make the following motion:

Grant approval of HAWP-13B and issue the Certificate of Approval, finding, based on the record before HPAC and for the reasons articulated by HPAC, that the application meets Secretary of Interior Standards One and Two, and the Brookes, Russell, Walker Historic District Guidelines.

DESIRED OUTCOME:

Vote on HAWP-13B.

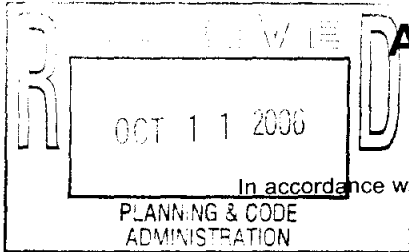
HPAC Public Hearing – November 16, 2006
HDC Review – November 20, 2006

**INDEX OF MEMORANDA
HAWP-13B**

**Applicant: Glen Todd
7 Brookes Avenue
Tree Removal**

Number	Exhibit
1.	Application
2.	House location showing location of tree to be removed
3.	Photograph of tree
4.	Tree Inventory information for 7 Brookes Avenue
5.	Notice to include legal ad for public hearing in the October 25, 2006, <i>Gaithersburg Gazette</i>
6.	Public hearing notice, sent out October 23, 2006, to the required parties
7.	By Reference: Brookes, Russell, Walker Historic District Guidelines
8.	By Reference: Annotated Code of Maryland, Article 66B, Historic Resources
9.	By Reference: Secretary of Interior Standards for Rehabilitation
10.	By Reference: HD-14 Designation Documents
11.	By Reference: Qualifications of HPAC, HDC, and staff
12.	By Reference: Historic Preservation Ordinance

HISTORIC AREA WORK PERMIT APPLICATION



In accordance with Chapter 24, Article XII of the City Code.

Application Number	HAWP-13B
Date Filed	10-11-06
Application Completed	10-11-06
HPAC Hearing/Review	11-20-06
HDC Hearing/Review	11-20-06
Decision	
Date of Decision	

SUBJECT PROPERTY (ADDRESS) 7 Brookes AVE GaithersburgLOT 4 BLOCK 1 SUBDIVISION 215TAX ACCOUNT NUMBER 00843568

APPLICANT/OWNER/AUTHORIZED AGENT

NAME Glen Todd TELEPHONE 301-948-0184ADDRESS 7 Brookes AVE Gaithersburg MD 20877

OWNER OF RECORD (IF NOT APPLICANT)

NAME _____ TELEPHONE _____

ADDRESS _____

TYPE OF WORK (CHECK APPROPRIATE)

- ☒ Visible from public way
☐ Not visible from public way
- | | | | |
|---|---|--------------------------------------|---|
| <input type="checkbox"/> Fence | <input type="checkbox"/> Windows | <input type="checkbox"/> Additions | <input type="checkbox"/> New Construction |
| <input type="checkbox"/> Signage | <input type="checkbox"/> Siding | <input type="checkbox"/> Relocation | <input type="checkbox"/> In-kind Replacement |
| <input type="checkbox"/> Parking | <input type="checkbox"/> Roofing | <input type="checkbox"/> Restoration | <input type="checkbox"/> Utilities (meters, cables, etc.) |
| <input checked="" type="checkbox"/> Landscape | <input type="checkbox"/> Accessory Building | <input type="checkbox"/> Demolition | <input type="checkbox"/> Miscellaneous |

DESCRIPTION OF PROPOSED WORK

removal of dead tree; poses potential hazard to passerbys both on foot + in vehicle.

SUBMISSION REQUIREMENTS (SEE OTHER SIDE)

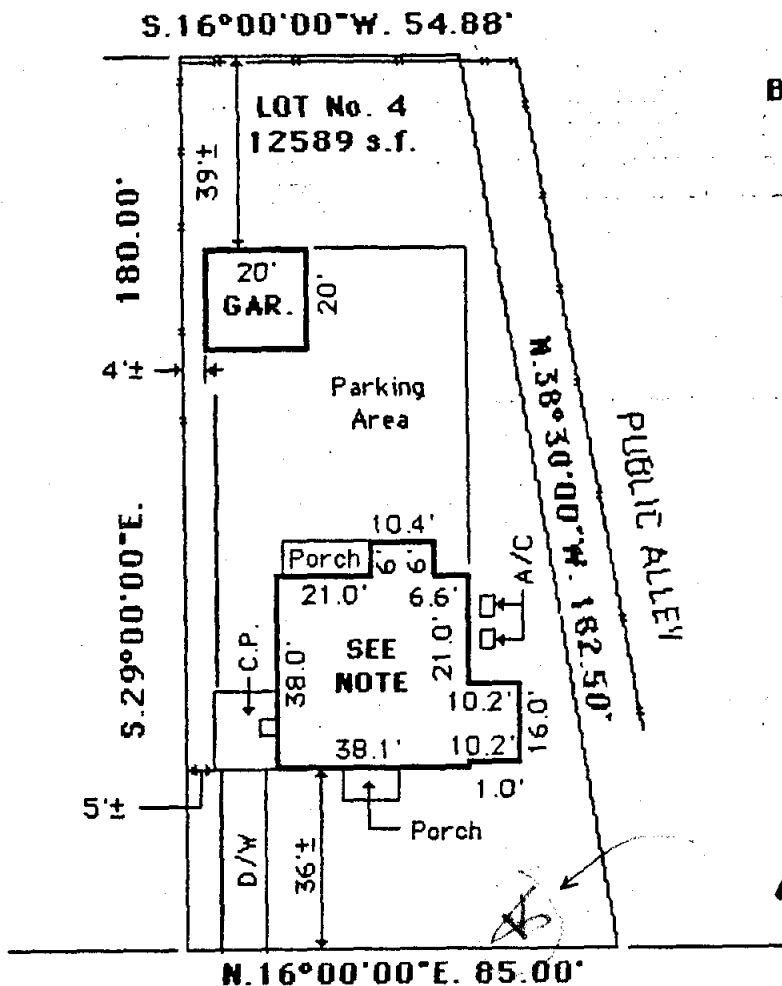
I hereby have read, understand, and agree to the material presented on both sides of this form, and the attached Historic Area Work Permit Information.

Signature _____

Date _____

BLOCK
"1"

LOT No. 5



NOTE:
2 1/2 Story
Brick & Frame
#7

BROOKES AVENUE
(50' R/W)

HOUSE LOCATION SURVEY
LOT No. 4 BLOCK 1
RUSSELL & BROOKES ADDITION TO
GAITHERSBURG

ELECTION DISTRICT No. 9
SCALE: 1"=40'

MONTGOMERY COUNTY, MARYLAND
DATE 10/06/87

I HEREBY CERTIFY THAT THE INFORMATION SHOWN HEREON IS CORRECT, IN ACCORDANCE WITH DESCRIPTIONS OF RECORD AND THAT THERE ARE NO ENCROACHMENTS UNLESS OTHERWISE SHOWN.
THIS PLAT IS PREPARED FOR TITLE PURPOSES ONLY AND IS NOT INTENDED FOR USE IN ESTABLISHING PROPERTY LINES.
THE PROPERTY SHOWN HEREON IS NOT LOCATED WITHIN THE LIMITS OF AN EXISTING FLOOD PLAIN.

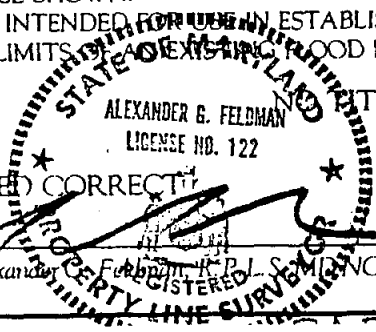
REFERENCE: PLAT BOOK "B" PLAT No. 40

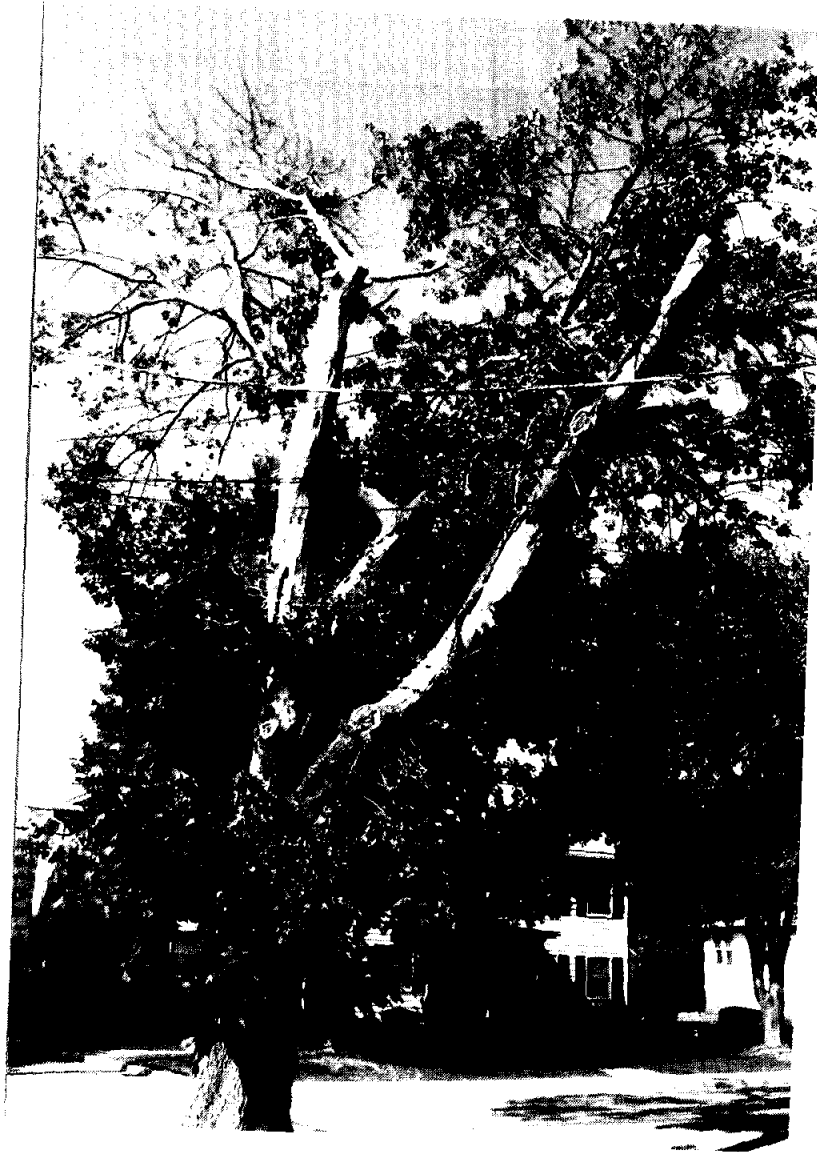
Alexander G. Feldman & Associates
Land Surveying
156 Wicomico Court, Mt. Airy, MD 21771
301-831-3208

CERTIFIED CORRECT

Alexander G. Feldman, P.L.S. LICENSE NO. 122

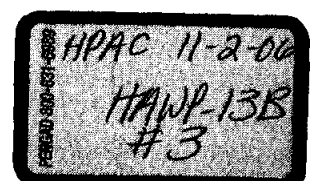
10/6/87
DATE





HAWP-13B

7 Brookes Avenue



Brookes Avenue

78

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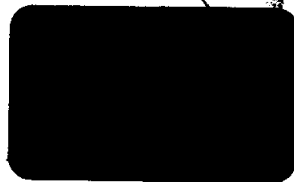
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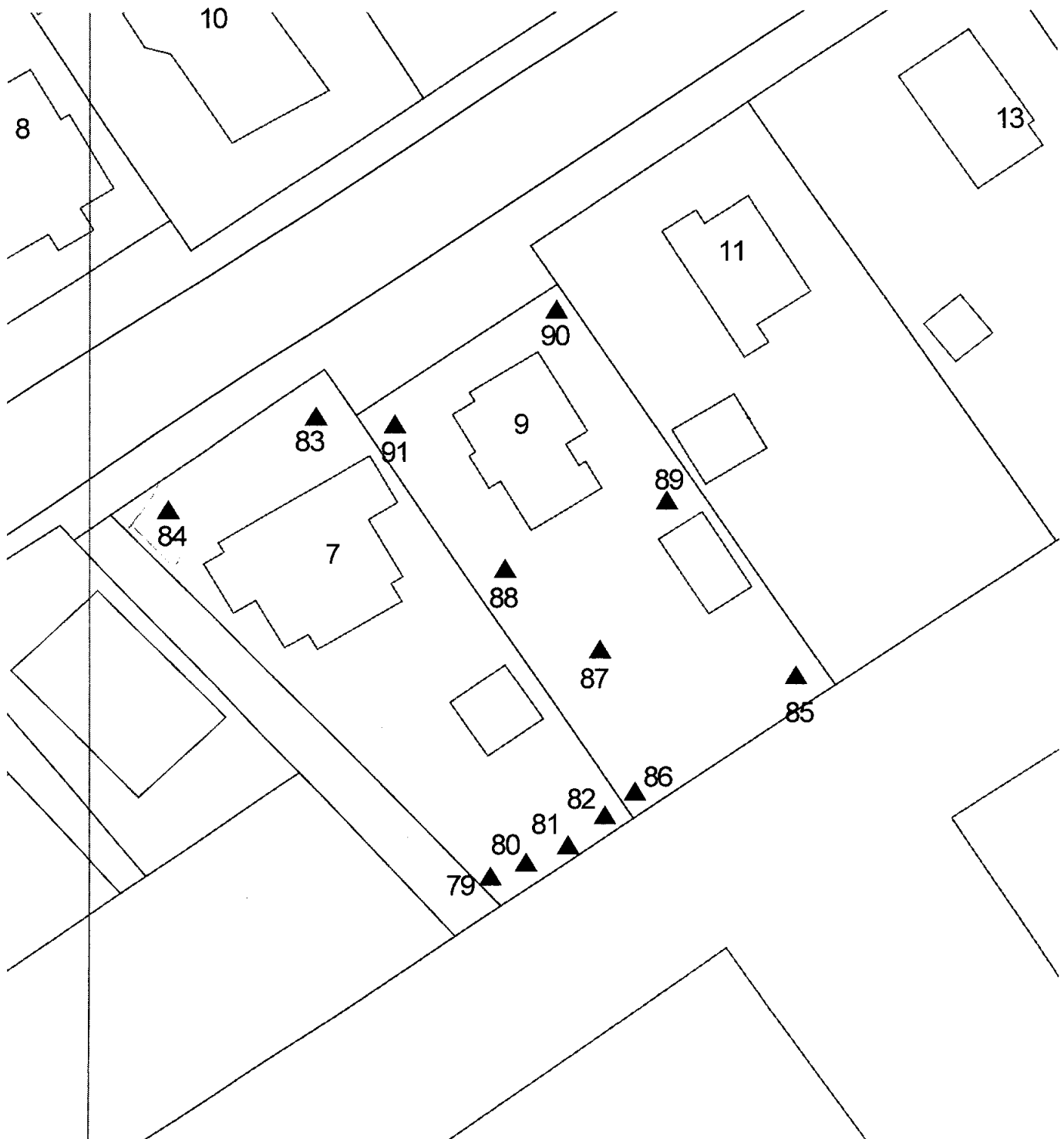
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Tree Inventory for Brookes, Russell, Walker Historic District



7 and 9 Brookes Avenue

June 1999

City of Gaithersburg Historic District Tree Inventory

Prepared by
the Care of Trees, Inc.

INV#	Location	Street	MHO	PB	APS	No.	of total	Species	dbh	cond	PR	RM	CB	HE	IPM	Wires	SW	Comments
67	Back Right	10 Brookes Ave.	Yes			1	6	Eastern white pine	18	3					3			
68	Back center	"				2	6	Norway spruce	12	3					2			
69	Back center	"				3	6	Eastern white pine	15	3	2							Bark aphid, storm damage
70	Back left center	"				4	6	Japanese maple	11	4								
71	Back left side	"				5	6	American cherry	17	3	3							Thin, topped before
72	Right side	"				6	6	Norway maple	27	3	2		X	X				Basal decay, resistograph, monitor, weight reduction
73	Back Right	8 Brookes	Removed 12-00			1	6	Silver maple	53	1		1						Severe basal decay, hazard tree
74	Back left	one of the pears fell in an ice storm 12-00				2	6	Bradford pear	12	3	3		X					Thin 20%
75	Back left					3	6	Bradford pear	12	3	3		X					Thin 20%
76	Center rear	"				4	6	Bradford pear	12	3	3		X					Thin 20%
77	Front left side	"				5	6	Red maple	13	2	3					X		Thin 20%
78	Front Right	"				6	6	Red maple	13	3	3							Thin 20%
79	Back Right	7 Brookes Ave.	No			1	6	Red mulberry	14	2	2		X					Deadwood
80	Back center	"				2	6	Red mulberry	11	2	2							Leaning
81	Center rear	"				3	6	Red mulberry	16	2	2							Deadwood
82	Rear left	"				4	6	Red mulberry	15	2	2							Deadwood
83	Front left	"			?	5	6	Norway maple	20	3	2							Weight reduction, possible street tree
84	Front Right	"			?	6	6	Norway maple	32	2	2					X		Girdling roots, possible street tree
85	Back left corner	9 Brookes Ave.	No			1	7	Norway maple	10	2								Leaning
86	Back Right corner	"				2	7	Eastern white pine	24	2								Deadwood, needle scale
87	Back Right side	"				3	7	Norway maple	8	3	3							Roof clearance

Key: MHO=met homeowner; PB=public tree; APS=avail planting space; PR=prune; RM=remove; CB=cable; HE=hazard eval; IPM=plant health care priority level: 1=urgent; 2=medium; 3=low
Condition Key: 5=excellent; 4=very good; 3=good; 2=fair; 1=poor D=dead/dying



October 20, 2006

Ashby Tanner, Law Section
The Gaithersburg Gazette
P.O. Caller 6006
Gaithersburg, Maryland 20884

Dear Ashby:

Please publish the following legal advertisement in the **October 25, 2006**, issue of the *Gaithersburg Gazette*.

Sincerely,

Jacqueline Marsh
Jacqueline Marsh, Planner
Planning and Code Administration

ASSIGN CODE: HAWP-13B

NOTICE OF PUBLIC HEARING

The Historic Preservation Advisory Committee of the City of Gaithersburg will conduct a public hearing on HAWP-13B, filed by Glen Todd, on

**THURSDAY
NOVEMBER 2, 2006
AT 7:30 P.M.**

or as soon thereafter as this matter can be heard in the Council Chambers at 31 South Summit Avenue, Gaithersburg, Maryland.

The application requests a certificate of approval from the City's Historic District Commission for tree removal at **7 Brookes Avenue**. §24-228 of the City Code (Zoning Ordinance) requires a historic area work permit for altering exterior features of a historic resource. The subject property, located on Lot 4, Block 1 of the Russell and Brookes Addition to Gaithersburg, is a contributing resource to the Brookes, Russell, Walker Historic District.

Further information may be obtained from the Planning and Code Administration Department at City Hall, 31 South Summit Avenue, between the hours of 8 a.m. and 5 p.m., Monday through Friday.

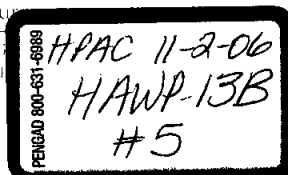
Jacqueline Marsh, Planner
Planning and Code Administration
Acct# 133649

City of Gaithersburg • 31 South Summit Avenue, Gaithersburg, Maryland 20877-2098
301-258-6300 • FAX 301-948-6149 • TTY 301-258-6430 • cityhall@gaitersburgmd.gov • www.gaitersburgmd.gov

MAYOR
Sidney A. Katz

COUNCIL MEMBERS
Stanley J. Alster
Geraldine E. Edens
Henry F. Marana, Jr.
John B. Schlichting
Michael A. Sesma

CITY MANAGER
David B. Hong





Gaithersburg

A CHARACTER COUNTS! CITY

**CITY OF GAITHERSBURG
31 South Summit Avenue
Gaithersburg, Maryland 20877
Telephone: 301-258-6330**

NOTICE OF PUBLIC HEARING

The City of Gaithersburg Historic Preservation Advisory Committee will conduct a public hearing at the time and place noted below.

Meeting: Historic Preservation Advisory Committee
Application Type: Historic Area Work Permit Request
File Number: HAWP-13B
Location: 7 Brookes Avenue
Lot 4, Block 1 of Russell and Brookes Addition to Gaithersburg
Applicant: Glen Todd
Development: Brookes, Russell, Walker Historic District
Day/ Date/Time: Thursday, November 2, 2006, 7:30 p.m.
Place: COUNCIL CHAMBERS, GAITHERSBURG CITY HALL
31 SOUTH SUMMIT AVENUE

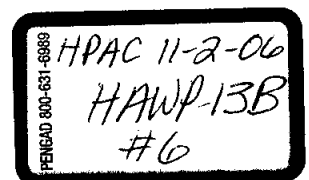
*****IMPORTANT*****

The application requests a certificate of approval from the City's Historic District Commission for tree removal at 7 **Brookes Avenue**. Section 24-228 of the City Code (Zoning Ordinance) requires a historic area work permit for altering exterior features of a historic resource. The subject property, located on Lot 4, Block 1, in the Russell and Brookes Addition to Gaithersburg, is a contributing resource to the Brookes, Russell, Walker Historic District. Contact the Planning and Code Administration City Planner (listed below) at (301) 258-6330 if you should have any questions and/or to learn more about this process and your ability to offer testimony and input.

CITY OF GAITHERSBURG

By: Jacqueline Marsh
Jacqueline Marsh, Planner
Planning and Code Administration

SEE LOCATION MAP ON REVERSE SIDE



NOTICES SENT THIS 20th DAY OF OCTOBER, 2006, TO:

APPLICANT AND INTERESTED PARTIES

(A list of interested parties and agencies is available in the file in the Planning and Code Administration.)

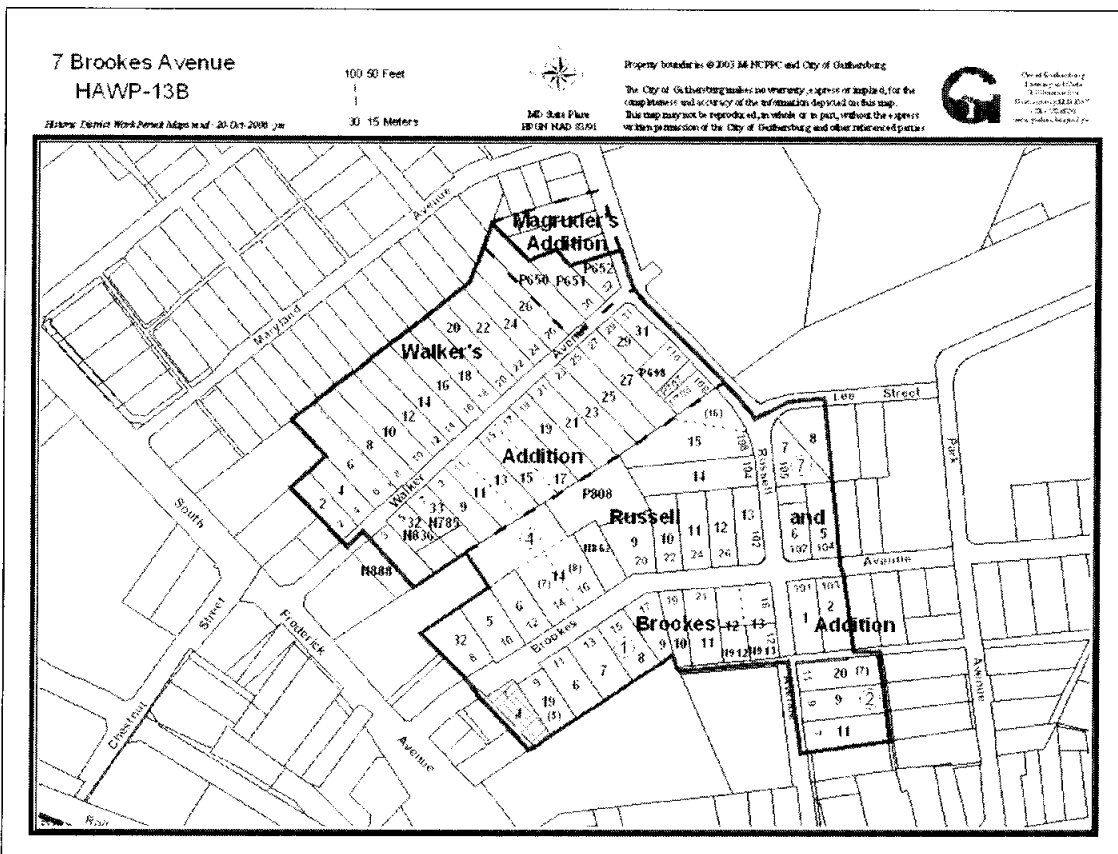
HISTORIC PRESERVATION ADVISORY COMMITTEE

HISTORIC DISTRICT COMMISSION

CITY STAFF

David B. Humpton, City Manager
Frederick J. Felton, Assistant City Manager
Tony Tomasello, Assistant City Manager
Cathy Borten, City Attorney
Britta Monaco, Public Information Director
Doris Stokes, Administrative Assistant
Jeff Baldwin, City Web Administrator (via email)

LOCATION MAP



BARBARA T LIMA
OR CURRENT RESIDENT
12 BROOKES AVE
GAITHERSBURG MD 20877

BROOKS AVENUE PTNSHP
OR CURRENT RESIDENT
7 BROOKES AVE
GAITHERSBURG MD 20877

C & P TELEPHONE CO
C/O VERIZON
1 E PRATT ST # 8N-20
BALTIMORE MD 21202

CRAIG A & A B PARKER
OR CURRENT RESIDENT
10 BROOKES AVE
GAITHERSBURG MD 20877

DAVID & N CIOFALO
OR CURRENT RESIDENT
15 BROOKES AVE
GAITHERSBURG MD 20877

DENISE LARRANAGA-BITTNER
OR CURRENT RESIDENT
11322 WINDSOR RD
IJAMSVILLE MD 21754

FRANCIS P & W L CORRIGAN
OR CURRENT RESIDENT
21 BROOKES AVE
GAITHERSBURG MD 20877

FREEMAN S & N P SHARP
OR CURRENT RESIDENT
16 RUSSELL AVE
GAITHERSBURG MD 20877

GEORGE R WALLRODT JR
OR CURRENT RESIDENT
20 BROOKES AVE
GAITHERSBURG MD 20877

GEORGE W DARBY SR TRUST
OR CURRENT RESIDENT
17 BROOKES AVE
GAITHERSBURG MD 20877

HOSANNA KOREAN METH CHURCH
OR CURRENT RESIDENT
14 BROOKES AVE
GAITHERSBURG MD 20877

J DANIEL & S B RAWLINGS
OR CURRENT RESIDENT
9 BROOKES AVE
GAITHERSBURG MD 20877

KARL K & K D PAVLOVIC
OR CURRENT RESIDENT
22 BROOKES AVE
GAITHERSBURG MD 20877

M & A VENTURE
C/O THOMAS P MEEHAN
1900 M ST N W STE 601
WASHINGTON DC 20036

MARK C & E M ENGLISH
OR CURRENT RESIDENT
102 RUSSELL AVE
GAITHERSBURG MD 20877

MARY R & M A WIENCEK
OR CURRENT RESIDENT
19 BROOKES AVE
GAITHERSBURG MD 20877

MELISSA K & MORRIS
OR CURRENT RESIDENT
13 BROOKES AVE
GAITHERSBURG MD 20877

OCCUPANT
OR CURRENT RESIDENT
8 BROOKES AVE
GAITHERSBURG MD 20877

PELPA INC
OR CURRENT RESIDENT
5 BROOKES AVE
GAITHERSBURG MD 20877

ROBERT N & B M STALKER
OR CURRENT RESIDENT
11 BROOKES AVE
GAITHERSBURG MD 20877

RODNEY M THOMPSON TRUST
OR CURRENT RESIDENT
9706 ECLIPSE PL
GAITHERSBURG MD 20886

ROY PASSIN INC
OR CURRENT RESIDENT
2 E DIAMOND AVE
GAITHERSBURG MD 20877

STATE OF MARYLAND
OR CURRENT RESIDENT
707 NORTH CALVERT ST
BALTIMORE MD 21202

THOMAS A WEBBER
OR CURRENT RESIDENT
24 BROOKES AVE
GAITHERSBURG MD 20877

THOMAS G & L E PATTON
OR CURRENT RESIDENT
26 BROOKES AVENUE
GAITHERSBURG MD 20877

WARREN S TEITELBAUM
C/O FINMARE MANAGEMENT INC
4733 BETHESDA AVE STE 500
BETHESDA MD 20814

